

Confidential Claim Retracted

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DATE: 5/16/13

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Memorandum

To: Albuquerque Area Director

From: Acting Assistant Secretary - Indian Affairs <sup>101 West 9. 10112</sup>

Subject: Proposed Modification Number 2 to the Bureau of Indian Affairs (Bureau)/Pueblo of Laguna Cooperative Agreement for the reclamation of the Jackpile Uranium Mine

The Central Office Environmental Services Staff has reviewed the subject proposed modification which was submitted by the attorneys representing the Pueblo of Laguna.

The review indicates that the modification reflects the management of the Jackpile reclamation as it exists today. This structure is different from the approved structure in the current Cooperative Agreement which is still in effect. The changes will result in many of the Construction Manager Contractor's (CMC) functions being moved to the Laguna Construction Company and to the Laguna Coordinator.

We are, therefore, being asked to modify the Agreement after managerial changes have been put in place. Even though this is not the desired procedure, we cannot argue with the current success and efficiency in which the reclamation is proceeding.

We understand the structure has evolved to its present state because of the unexpectedly strong capabilities of the present Laguna Construction Manager and the Laguna Coordinator. These positions are keys in helping provide the great momentum that the project now has. The Bureau, however, still believes that the presence of a strong CMC provides a management structure that is less "personality sensitive" than the proposed changes.

In weighing the many factors associated with the modification, we are reluctant to make changes that could disrupt the project at this time. Therefore, we recommend that the Bureau will continue to reserve the right to approve appointments to the position of General Manager of the Laguna Construction Company and the Laguna Coordinator and the right to terminate Modification Number 2 if it is determined that the project will benefit from the re-instatement of the original structure.



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In addition, two changes should be made to the proposed modification. Both are under Section 4.3 which list the responsibilities of the Engineering Services Contractor. One change will be to add "Monitor the field activities of the Laguna Construction Company." The Other change will be to begin the next to last responsibility with "Assist the RPM in reviewing...."

If there are any questions, please contact Mr. George R. Farris, FTS 268-4791.

cc: Secy's Surname - Secy's RF - Bureau RF - 101A  
| Surname - 200 - chron - pending  
204:GFarris:mam:8/15/90